

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-19 are pending. Claims 1 and 11 are independent. Claims 1-12 are amended. Support for this amendment is provided throughout the Specification as originally filed, and specifically at page 23 and Figure 9.

No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3 and 11-12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,289,663 to Spaulding et al (hereinafter, merely “Spaulding”) and in view of U.S. Patent Application No. 2003/0206242 to Choi (hereinafter, merely “Choi”).

Claims 4-10 and 13-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Spaulding in view of Choi and further in view of U.S. Patent No. 7,081,918 to Takemoto, et al. (hereinafter, merely “Takemoto”).

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“A digital still camera comprising:

...wherein a plurality of luminance values corresponding to a plurality of cumulative histogram values with equal intervals are extracted from the image data in a YscYCC format,

wherein the image data is categorized into a plurality of categories according to a first extracted luminance value and a luminance range determined by a second extracted luminance value and a third extracted luminance value,

wherein the category information is used for selecting tone correction parameters...” (Emphasis added)

As understood by Applicants, Spaulding relates to a method for producing an extended color gamut luminance-chrominance digital image from a captured digital image. The method includes determining an estimate of the colors of the image of an original scene and processing to produce an extended range.

As understood by Applicants, Choi relates to a device and method for converting a format of a video signal in a digital TV receiver. Format conversion is carried out at one chip of a format converting device, inclusive of resolution, frame rate, scanning method, aspect ratio, color space, chroma, format, and gamma correction.

Applicants respectfully submit that Spaulding, Choi, and Takemoto, taken either alone or in combination, fail to teach or disclose the above-identified features of claim 1. Specifically, nothing is found that discloses or teaches: 1.) a plurality of luminance values corresponding to a plurality of cumulative histogram values with equal intervals are extracted from the image data in a YscYCC format; 2.) the image data is categorized into a plurality of categories according to a first extracted luminance value and a luminance range determined by a second extracted

luminance value and a third extracted luminance value; and 3.) the category information is used for selecting tone correction parameters, as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable.

Claim 11 is similar, or somewhat similar, in scope and is therefore patentable for similar, or somewhat similar, reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

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Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

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